

U.S. Department of Justice



United States Attorney
Southern District of New York

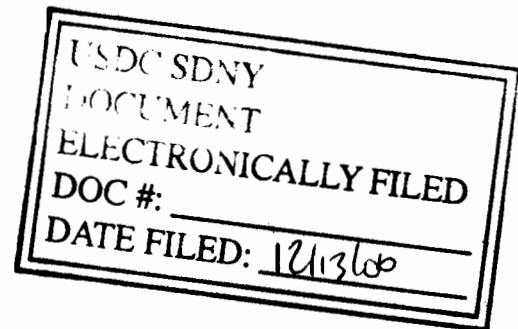
MEMO ENDORSED

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

December 8, 2006

BY HAND

Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: **United States v. Raul Depaz**, 06 Cr. 685 (KMK)

Dear Judge Karas:

The Government respectfully submits this letter to inform the Court of the status of the psychiatric evaluation of the defendant Raul Depaz (the "defendant"). As the Court is aware, the defendant was evaluated by a psychiatrist chosen by defense counsel earlier this fall. The Government was informed by defense counsel that, based on that evaluation, the defendant was prescribed anti-depressants by the evaluating psychiatrist. The Government has not received any documentation from the evaluating psychiatrist. At defense counsel's request, however, the Government contacted the Bureau of Prisons ("BOP") to see whether the medication that had been prescribed to the defendant could be supplied by the BOP.

On November 28, 2006, the legal department of the Metropolitan Correctional Center ("MCC"), where the defendant is being housed, informed me that the BOP does not necessarily rely on an outside doctor's one-time evaluation, or place an inmate on any prescribed medication based on such an evaluation. The legal department also informed me that the defendant had been seeing a BOP psychologist on a weekly basis since August 2006, and that he was scheduled to see a psychiatrist later that week. I relayed this information to defense counsel on November 29, 2006.

On December 1, 2006, the MCC legal department informed me that the defendant had been taken to see the BOP psychiatrist that morning, but that he had to be taken back to his housing unit before he was evaluated due to internal security issues at the MCC. I further

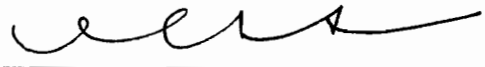
Hon. Kenneth M. Karas
December 8, 2006
Page 2

understand that the defendant is being evaluated by the BOP psychiatrist today.

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney
Southern District of New York

By:

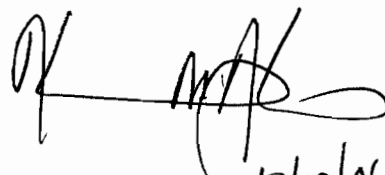


Virginia Chavez Romano
Assistant United States Attorney
(212) 637-1037

cc: Ellyn Bank, Esq. (by e-mail)

This letter is to be docketed.

So ordered.



12/12/06